

COURT MINUTES OF HEARING ON MOTION TO COMPEL

THE TRAVELERS PROPERTY CASUALTY INSURANCE COMPANY,

v.

CASE NO. 13-MC-007

ELECTROLUX HOME PRODUCTS, INC.

HON. J. P. STADTMUELLER PRESIDING

DATE: February 15, 2013

TIME SCHEDULED: 11:30 AM

COURT DEPUTY/CLERK: T. Messenger

TIME CALLED: 11:26 AM

COURT REPORTER: Kim Peterson

TIME FINISHED: 11:39 AM

PURPOSE: Hearing on Motion to Compel

PLAINTIFF BY: Steven Pasholk and Robert Spinazzola

DEFENDANTS BY: Matthew Kramer

Notes:

11:26 a.m. Appearances; Introductory remarks by Court

11:27 Court invites both sides to bring Court up to date as to the current status of this issue

11:29 Mr. Spinazzola comments; his client has offered to produce Mr. Vesey and conduct the deposition with objections on a question-by-question basis

11:33 Mr. Kramer comments

11:34 Court finds nothing more troubling to any judge than to have to preside over unadulterated sandbox spats best reserved for a playground not a federal court; Court suggests that a totality-of-the-circumstances analysis may militate against an award of fees; Mr. Kramer is free to file written submission(s) requesting fees, non-movant's response is due within 21 days of such a filing and any reply is due within 5 days of any response.

11:35 Court states that case will remain pending until either briefing completes or the Court receives a joint-letter from the parties stating that the parties have resolved the issue

11:39 Court stands in recess